

SOUTHERN DIVISION

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Case No.: 2:17-cv-0752-JEO

FINAL ORDER

For the reasons stated in the Memorandum Opinion entered herewith, the motion to dismiss filed by Defendant Lhoist North America of Alabama, LLC (Doc. 9), joined by Defendant G&R Mineral Services, Inc. (“G&R”) (Doc. 14), based on abstention, is **GRANTED**. Accordingly, this declaratory judgment action filed by Plaintiff Charter Oak Fire Insurance Company is **DISMISSED WITHOUT PREJUDICE**. G&R’s motion to stay these proceedings in relation to Count II of the complaint, included in G&R’s reply brief in support of the motion to dismiss (Doc. 30 at 4-6) is **MOOT**. The Clerk is **DIRECTED** to close the file.

DONE, this the 9th day of February, 2018.

A handwritten signature in black ink, reading "John E. Ott" with a stylized flourish at the end.

JOHN E. OTT
Chief United States Magistrate Judge